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*Attorneys for Eyre Plaintiffs*

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PENDLETON DIVISION

OREGON FIREARMS FEDERATION, INC.,  
 et al.,

Plaintiffs,

v.

TINA KOTEK, et al.,

Defendants.

MARK FITZ, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

KATERINA B. EYRE, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

DANIEL AZZOPARDI, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

Case No. 2:22-cv-01815-IM (*Lead Case*)  
 Case No. 3:22-cv-01859-IM (*Trailing Case*)  
 Case No. 3:22-cv-01862-IM (*Trailing Case*)  
 Case No. 3:22-cv-01869-IM (*Trailing Case*)

CONSOLIDATED CASES

**PLAINTIFFS' IDENTIFICATION OF  
 LEGISLATIVE FACT EXHIBITS**

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
1.	Text of Measure 114 (Plaintiffs' Dep. Ex. 7)  Legislative Fact ("LF"): relevant to all aspects of the constitutional analysis	All purposes				
2.	Patent No. 27,393 (1860)  LF: Count <sup>2</sup> III Q1	All purposes				

<sup>1</sup> All parties stipulate to the authenticity of all exhibits unless stated otherwise in the Objections.

<sup>2</sup> On May 31, 2023, the Court requested Plaintiffs to “1) Please identify by exhibit number all the marked exhibits that Plaintiff seeks to introduce as ‘legislative facts’; and 2) for each such ‘legislative fact,’ identify that specific aspect of the constitutional analysis demanded by *Bruen* to which each such legislative fact applies ....” In Plaintiffs’ and Defendants’ Consolidated Proposed Pretrial Order, Plaintiffs outlined the constitutional analysis demanded by *Bruen* as counts and questions. ECF 161 (5/10/2023), pp. 6-26. To answer the Court’s request, Plaintiffs have identified by count and question the specific aspect of the constitutional analysis to which each legislative fact applies. For ease of reference, those counts and questions are reproduced here:

COUNT I (Second Amendment Challenge to M114’s Permitting Regime)

Question 1: Do Measure 114’s new restrictions on individuals’ ability to acquire firearms, set forth in Measure 114 §4, §5, §6(3)(c), §6(13)(b), §6(14), §7(3)(d)(B), §8(3)(B)(c), restrict conduct that is presumptively protected by the Second Amendment?

Question 2: Have Defendants proven that Measure 114’s new restrictions on individuals’ ability to acquire firearms, set forth in Measure 114 §4, §5, §6(3)(c), §6(13)(b), §6(14), §7(3)(d)(B), §8(3)(B)(c), are consistent with a longstanding historical tradition of firearm regulation in this country?

Question 3: Are Defendants currently able to implement Measure 114’s restrictions on individuals’ ability to acquire firearms, set forth in Measure 114 §4, §5, §6(3)(c), §6(13)(b), §6(14), §7(3)(d)(B), §8(3)(B)(c), in a manner that allows individuals to obtain the permits that are required to lawfully acquire firearms in Oregon?

COUNT II (Due Process Clause Challenge to M114’s Permitting Regime)

COUNT III (Second Amendment Challenge to M114’s Magazine Prohibitions)

Question 1: Are the ammunition feeding devices that Measure 114 prohibits covered by the plain text of the Second Amendment?

Question 2: Are the ammunition feeding devices that Measure 114 prohibits “in common use”?

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
3.	Patent No. 30,446 (1860)  LF: Count III Q1, Q4	All purposes				
4.	News from Washington, The New York Times (1864)  LF: Count III Q1, Q4	All purposes				
5.	Patent No. 55,012 (1866)  LF: Count III Q1, Q4	All purposes				
6.	Patent No. 57,808 (1866)  LF: Count III Q1, Q4	All purposes				
7.	Hearings Before the Committee on Ways and Means House of Representatives, 73rd Congress, H.R. 9066 (1934)  LF: Count III Q3, Q4	All purposes				

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Question 3: Have Defendants proven that there is a longstanding historical tradition of banning ammunition feeding devices above a certain capacity for semi-automatic firearms?

Question 4: Have Defendants proven that ammunition feeding devices capable of accepting more than 10 rounds constitute a dramatic technological change or novel societal phenomenon that justifies a “more nuanced approach”?

COUNT IV (Fifth Amendment Takings Clause Challenge to M114’s Magazine Prohibitions)

Question 1: Does Measure 114 §11 effect a physical taking?

Question 2: Does Measure 114 §11 effect a regulatory taking?

COUNT V (Due Process Clause Challenge to M114’s Magazine Prohibitions)

Question: Do the confiscatory, retroactive aspects of Measure 114 §11 violate due process?

COUNT VI (Void-for-Vagueness Challenge to M114’s Magazine Prohibitions)

Question: Is Measure 114 §11 void for vagueness?

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
8.	Rebels & Loyalists: The Revolutionary Soldier in Philadelphia, Katcher (1976) (Photos only)	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
	LF: Count III Q1, Q4					
9.	Withdrawn					
10.	Guns Used in Crime, Marianne W. Zawitz, U.S. Bureau of Justice Statistics (July 1995)	All purposes				
	LF: Count III Q2					
11.	Withdrawn					
12.	Guns in America: National Survey on Private Ownership and Use of Firearms, National Institute of Justice (May 1997)	All Purposes				
	LF: Count III Q2					
13.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
14.	The Deadliest Men: The World's Deadliest Combatants Throughout the Ages, Paul Kirchner (Sept. 1, 2001), Excerpt re Lance Thomas  <b>LF: Count III Q2</b>		FRE 802 (hearsay); FRE 401 (relevance)			
15.	An Urban Gunfight: The Lessons of Lance Thomas, Massad Ayoob, American Handgunner (Mar. 1, 2002)  <b>LF: Count III Q2</b>	FRE 703 <sup>3</sup> (subject to <i>Daubert</i> ruling) <sup>4</sup>	FRE 802 (hearsay)			
16.	Meriwether Lewis's Air Gun, Michael F. Carrick, We Proceeded On, Lewis and Clark Trail Heritage Foundation (Nov. 2002), p. 15 (Carrick Ex. 2)  <b>LF: Count III Q4</b>	FRE 703	FRE 802 (hearsay)			

<sup>3</sup> By stipulating to “FRE 703,” the parties mean that they stipulate that the proposed exhibit may be admitted solely for the limited purpose of evaluating the expert’s opinion, not for its truth. Fed. R. Evid. 703. *Williams v. Illinois*, 567 U.S. 50, 78 (2012) (“Under [703], basis evidence that is not admissible for its truth may be disclosed even in a jury trial under appropriate circumstances. The purpose for allowing this disclosure is that it may assist the jury to evaluate the expert’s opinion.”) (quotation marks, citation, and alteration omitted); *United States v. Skodnek*, 896 F. Supp. 60, 66 (D. Mass. 1995) (admitting basis evidence subject to an instruction that such evidence may be “considered solely as a basis for the expert opinion and not as substantive evidence”). The parties maintain a hearsay objection to the use of the proposed exhibit for its truth.

<sup>4</sup> Defendants filed motions to exclude expert testimony under *Daubert* and Federal Rule of Evidence 702. If granted, these motions would affect the admissibility of a substantial portions of Plaintiffs’ exhibits.

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
17.	Lead and Diamonds: the Richmond Jewelry Store Shootout, Massad Ayoob (2003)  LF: Count III Q2		FRE 802 (hearsay)			
18.	Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003, Christopher S. Koper (July 2004)  LF: Count III Q2, Q3, Q4	FRE 703	FRE 802 (hearsay)			
19.	Withdrawn					
20.	Firearm Examiner Training (2008), Glossary, Magazine  LF: Count III Q1		FRE 802 (hearsay)			
21.	Withdrawn					
22.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
23.	Withdrawn					
24.	Withdrawn					
25.	The History of Firearm Magazines and Magazine Prohibitions, David B. Kopel (2014/2015)  LF: Count 1 Q2; Count III Q1, Q2, Q3, Q4	FRE 703	FRE 802 (hearsay)			
26.	Disarming Mass Murderers, Massad Ayoob (Ayoob Ex. 3) (2015)  LF: Count III Q2	FRE 703 (subject to <i>Daubert</i> ruling)	FRE 802 (hearsay)			
27.	The Ayoob Files: The Brunswick Massacre, Massad Ayoob, The American Handgunner (Sept./Oct. 2015)  LF: Count III Q2, Q4	FRE 703 (subject to <i>Daubert</i> ruling)	FRE 802 (hearsay)			
28.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
29.	Criminal Use of Assault Weapons and High-Capacity Semiautomatic Firearms: an Updated Examination of Local and National Sources, Christopher Koper, et al. (2017)  LF: Count III Q2, Q3, Q4	FRE 703	FRE 802 (hearsay)			
30.	Estimating Global Civilian-Held Firearms Numbers, Aaron Karp (June 2018)  LF: Count III Q2		FRE 802 (hearsay)			
31.	State and Federal Disqualifiers for Firearms Purchases in the State of Oregon, OSP (Jan. 24, 2019)  LF: Count I Q2, Q3	All purposes				
32.	Withdrawn – demonstrative only					
33.	Firearm Production in the United States, NSSF (2020)  LF: Count III Q2		FRE 802 (hearsay)			
34.	2018 Annual Firearms Manufacturing and Export Report, US DOJ, US ATF  LF: Count III Q2	All Purposes				

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
35.	2019 Annual Firearms Manufacturing and Export Report, US DOJ, US ATF  LF: Count III Q2	All Purposes				
36.	2020 Annual Firearms Manufacturing and Export Report, US DOJ, US ATF  LF: Count III Q2	All Purposes				
37.	2021 Annual Firearms Manufacturing and Export Report, US DOJ, US ATF  LF: Count III Q2	All Purposes				
38.	2018 FICS Program Overview, OSP (OREGON000756)	All Purposes				
39.	2019 FICS Program Overview, OSP (OREGON000771)	All Purposes				
40.	2020 FICS Program Overview, OSP (OREGON000786)	All Purposes				
41.	2021 FICS Program Overview, OSP (OREGON000801)	All Purposes				
42.	Firearms Commerce in the United States, Annual Statistical Update 2021, US DOJ, US ATF  LF: Count III Q1, Q2	All Purposes				

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
43.	Withdrawn					
44.	Withdrawn					
45.	Active Shooter Incidents 20-Year Review, 2000-2019, US FBI (May 2021)  LF: Count III Q4	All Purposes				
46.	2021 National Firearms Survey: Updated Analysis Including Types of Firearms Owned, William English (May 13, 2022)  LF: Count III Q2		<i>See MIL (ECF 171); FRE 802 (hearsay)</i>			
47.	Firearms Law and the Second Amendment: Regulation, Rights, and Policy, 3d ed. (2022 Suppl.), Nicholas Johnson, et al.  LF: Count I Q1, Q2; Count III Q1, Q2, Q3, Q4	FRE 703	FRE 802 (hearsay)			

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
48.	National Firearms Commerce and Trafficking Assessment (NFCTA): Crime Gun Intelligence and Analysis, Vol. 2, US ATF (2023), Introduction  <b>LF: Count III Q2</b>	All Purposes				
49.	National Firearms Commerce and Trafficking Assessment (NFCTA): Crime Gun Intelligence and Analysis, Vol. 2, US ATF (2023), Part III  <b>LF: Count III Q2</b>	All Purposes				
50.	National Firearms Commerce and Trafficking Assessment (NFCTA): Crime Gun Intelligence and Analysis, Vol. 2, US ATF (2023), Part V  <b>LF: Count III Q2</b>	All Purposes				
51.	National Firearms Commerce and Trafficking Assessment (NFCTA): Crime Gun Intelligence and Analysis, Vol. 2, US ATF (2023), Part VII  <b>LF: Count III Q2</b>	All Purposes				
52.	National Firearms Commerce and Trafficking Assessment (NFCTA): Crime Gun Intelligence and Analysis, Vol. 2, US ATF (2023), References  <b>LF: Count III Q2</b>	All Purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
53.	The History of Bans on Types of Arms Before 1900, Kopel and Greenlee (2023)  LF: Count III Q1, Q2, Q3, Q4		FRE 802 (hearsay)			
54.	Withdrawn					
55.	Manual for the Safe Use of Reproduction Flintlock Weapons in Historic Weapons Demonstrations, National Park Service  LF: Count III Q3, Q4	All purposes				
56.	Wikipedia page for “Magazine (firearms)”, <a href="https://en.wikipedia.org/wiki/Magazine_(firearms)">https://en.wikipedia.org/wiki/Magazine_(firearms)</a> Ex. 7 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) <sup>5</sup> 00242-249 (Photos only)  LF: County III Q1, Count III Q2, Count 4	Admissible (Photos only)	FRE 802 (hearsay) as to text.			

<sup>5</sup> Exhibits to the Declaration of Anna K. Barvir in Support of Plaintiffs' Motion for Summary Judgment or, Alternatively, Partial Summary Judgment, *Virginia Duncan, et al. v. Xavier Becerra, et al.*, Case No. 3:17-cv-01017- BEN-JLB, ECF 50-8, et seq. (USDC-SD CA Mar. 5, 2018).

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
57.	Pages 33-36 of NRA Guide to the Basics of Pistol Shooting (2d ed. 2009) Ex. 8 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00250-255 (Photos only)  LF: Count III Q1	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
58.	Pages 22-36 of John Malloy, Complete Guide to Guns & Shooting (DBI Books, Inc. 1995) Ex. 9 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00256-273  LF: Count III Q1, Q4	All Purposes				
59.	Pages 95-99 of John Malloy, Complete Guide to Guns & Shooting (DBI Books, Inc. 1995) Ex. 10 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00281-288  LF: Count III Q1, Q4	All Purposes				
60.	Withdrawn					

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61.	Pages 168-70 of Lewis Winant, Firearms Curiosa (2009) (1st pub. 1954) Ex. 13 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00334-339  LF: Count III Q4	All purposes				
62.	16-Shot Wheel Lock, Am.'s 1st Freedom (May 10, 2014) Ex. 14 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB)00340-342 (Photos only)  LF: Count III Q4	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
63.	Withdrawn					
64.	Withdrawn					

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
65.	Ex. 18 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) Pages 69-70 of John Plaster, The History of Sniping and Sharpshooting (2008) Ex. 17 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00386-390 (Photos only)  LF: Count III Q4	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
66.	Withdrawn					
67.	Wikipedia page for “Girandoni Air Rifle”, <a href="https://en.wikipedia.org/wiki/Girandoni_air_rifle">https://en.wikipedia.org/wiki/Girandoni_air_rifle</a> Ex. 20 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00402-405 (Photos only)  LF: Count III Q4	Admissible (Photos only)	FRE 802 (hearsay) as to text.			

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
68.	Page 683 of Norm Flayderman, Flayderman's Guide to Antique American Firearms and Their Values (9th ed. 2007) Ex. 21 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00406-409  LF: Count III Q4	All Purposes				
69.	Page 33 of Jim Supica, Doug Wicklund & Philip Shreier, Treasures of the NRA National Firearms Museum (2013) Ex. 22 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00410-413 (Photos only)  LF: Count III Q4	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
70.	Pages 16, 148-49 and 167 of Jack Dunlap, American British and Continental Pepperbox Firearms (1964) Ex. 23 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00414-420  LF: Count III Q4	All purposes				

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71.	Pages 249-50 of Lewis Winant, Firearms Curiosa (2009) (1st pub. 1954) Ex. 24 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00421-425  LF: Count III Q4	All Purposes				
72.	Page 66 of Catalogue of Contents: Doe Run Lead Company's Museum (July 1, 1912) Ex. 25 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00426-428  LF: Count III Q4	All Purposes				
73.	Pages 711, 713, and 716 of Norm Flayderman, Flayderman's Guide to Antique American Firearms and Their Values (9th ed. 2007) Ex. 26 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00429-434  LF: Count III Q4	All Purposes				

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
74.	Pages 9-17, 19-44 of Harold F. Williamson, Winchester: The Gun That Won the West (1952) Ex. 27 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00442-479  LF: Count III Q4	All Purposes				
75.	Pages 303-06 of Norm Flayderman, Flayderman's Guide to Antique American Firearms and Their Values (9th ed. 2007) Ex. 28 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00480-486  LF: Count III Q4	All Purposes				
76.	Joseph Bilby, The Guns of 1864, in Am. Rifleman (May 5, 2014) Ex. 29 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00487-497  LF: Count III Q4		FRE 802 (hearsay)			

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77.	Page 49 of Harold F. Williamson, Winchester: The Gun That Won the West (1952) Ex. 30 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00498-501  LF: Count III Q4	All purposes				
78.	Pages 11 and 22-35 of R.L. Wilson, Winchester: An American Legend (1991) Ex. 31 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00509-526  LF: Count III Q4	All purposes				
79.	Pages 116-29 of Louis A. Garavaglia & Charles G. Worman, Firearms of the American West (1985) Ex. 32 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00527-543  LF: Count III Q4	All purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
80.	Pages 307-12 of Norm Flayderman, Flayderman's Guide to Antique American Firearms and Their Values (9th ed. 2007) Ex. 33 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00551-559  LF: Count III Q4	All Purposes				
81.	Pages 137, 1240-41 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 34 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00560-565  LF: Count III Q4	All Purposes				
82.	Withdrawn					

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
83.	Pages 122-23 of Norm Flayderman, Flayderman's Guide to Antique American Firearms and Their Values (9th ed. 2007) Ex. 36 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00571-575  LF: Count III Q4	All Purposes				
84.	Pages 60-63, 67-71, 204-208, 244-45 Lewis Winant, Firearms Curiosa (2009) (1st pub. 1954) Ex. 37 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00576-594  LF: Count III Q4	All Purposes				
85.	Pages 708-09 of the 2014 Standard Catalog of Firearms Ex. 38 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00595-599  LF: Count III Q4	All Purposes				

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86.	Pages 23, 30-32, 38-39, 54-55, and 272 of John W. Breathed, Jr. & Joseph J. Schroeder, Jr., System Mauser: A Pictorial History of the Model 1896 Self-Loading Pistol (1967) Ex. 39 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00600-611  LF: Count III Q4	All Purposes				
87.	John Elliot, A Sweeping History of the Mauser C96 Broomhandle Pistol, Guns.com (Jan. 26, 2012) Ex. 40 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00612-624  LF: Count III Q4		FRE 802 (hearsay)			
88.	Pages 191-92 of Jim Perkins, American Boys Rifles 1890-1945 (1976) Ex. 41 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00625-629  LF: Count III Q4	All Purposes				

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
89.	Page 84 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 42 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00630-633  LF: Count III Q2, Q3, Q4	All Purposes				
90.	Page 104 of Patrick Sweeney, Gun Digest Book of the AR-15 (2005) Ex. 43 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00641-644  LF: Count III Q2, Q3, Q4		FRE 802 (hearsay)			
91.	Page 294 of Gun Digest 24th Anniversary Deluxe Edition (John T. Amber ed. 1969) Ex. 44 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00645-648  LF: Count III Q2, Q3, Q4	All Purposes				
92.	Page 1102 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 45 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00649-652  LF: Count III Q2, Q3, Q4	All Purposes				

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No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
93.	Page 1173 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 46 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00653-656  LF: Count III Q2, Q3, Q4	All Purposes				
94.	Pages 182-83, 432-33 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 47 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00657-663  LF: Count III Q2, Q3, Q4	All Purposes				
95.	Pages 464-65 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 48 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00664-668  LF: Count III Q3, Q4	All Purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
96.	Pages 72-73 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) and pages 216-17 of Joseph J. Schroeder, Jr., System Mauser: A Pictorial History of the Model 1896 Self-Loading Pistol (1967) Ex. 49 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00669-677  LF: Count III Q3, Q4	All Purposes				
97.	Page 121 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 50 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00678-681  LF: Count III Q2, Q3, Q4	All Purposes				
98.	Page 184 of the 2014 Standard Catalogue of Firearms (Jerry Lee ed. 2013) Ex. 51 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00682-685  LF: Count III Q2, Q3, Q4	All Purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
99.	Pages 369-74, 377-78, 380-87, 391, 395-96, 398-99, 401-07, 409-11, 413-14, 438-47, and 454 from Gun Digest 2017 (Jerry Lee ed., 71st ed. 2016) Ex. 52 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00693-736, 00744-747  LF: Count III Q2, Q3, Q4	All Purposes				
100.	Pages from websites of firearm manufacturers advertising firearms Ex. 53 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00748-774  LF: Count III Q1, Q2		FRE 802 (hearsay)			
101.	Pages 73-97 of The Complete Book of Autopistols: 2013 Buyer's Guide (2013) Ex. 54 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00775-800  LF: Count III Q2, Q3, Q4	All Purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
102.	Withdrawn					
103.	Withdrawn					
104.	Withdrawn					
105.	Withdrawn					
106.	Withdrawn – Duplicate					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
107.	U.S. Dept. of Justice, Bureau of Justice Statistics, National Crime Victimization Survey, Criminal Victimization in the United States, 2008 Statistical Tables, Table 37 (Mar. 2009) Ex. 61 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00925-928  LF: Count III Q4	All purposes				
108.	Withdrawn					
109.	Withdrawn					
110.	Charles Remsberg, Why One Cop Carries 145 Rounds of Ammo on the Job, PoliceOne (Apr. 17, 2013) Ex. 64 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00942-946  LF: Count III Q2	FRE 703	FRE 802 (hearsay)			
111.	Withdrawn					
112.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
113.	Withdrawn					
114.	Jewelry Store Burglarized, Scene of Deadly 1994 Robbery Attempt, nbc12.com (2012)  Ex. 68 ( <i>Duncan v. Becerra</i> , Case No. 3:17-CV-01017-BEN-JLB) 00956-958  LF: Count III Q2	FRE 703 (subject to <i>Daubert</i> ruling)	FRE 802 (hearsay)			
115.	Real Gunfighter Lance Thomas, Justice Files, <a href="https://www.youtube.com/watch?v=pkWgp2abM2w">https://www.youtube.com/watch?v=pkWgp2abM2w</a>  LF: Count III Q2		FRE 802 (hearsay)			
116.	Withdrawn					
117.	Video demonstration of changing magazine, Massad Ayoob  LF: Count III Q1, Q2	All purposes (subject to <i>Daubert</i> ruling)				
118.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
119.	Image of Web portal for FFL dealers to submit data from form 4473 to OSP FICS unit.		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
120.	Make Model Sold in Oregon - PDF OREGON015644  LF: Count III Q2	All purposes				
121.	Make Model Sold in Oregon - XLS OREGON015644  LF: Count III Q2	All purposes				
122.	Make Model Sold in Oregon - Pivot Tables (derived from OREGON015644)  LF: Count III Q2	All purposes				
123.	Email from Lisa Fox to Craig A Prins, et. al., Subject: OSP FICS POPs and Wellness POP (Dec. 6, 2022) OREGON000062		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
124.	Email from Constantin Severe to Lisa Fox, Subject: RE: OSP FICS POPs and W Lisa Fox FICS Staffing and Wellness POP (Dec. 6, 2022) OREGON000064		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
125.	2023-2025 Governor's Budget (2023) OREGON000113		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
126.	George Naughton Memorandum to Terri Davie, Subject: 2023-2025 Budget: Post-Appeal Adjustments (Jan. 25, 2023) OREGON000574		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
127.	Letter from OSP to Legislative Fiscal Officer RE increase in Positions Services and Supplies for M114 (Feb. 9, 2023) OREGON000746		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
128.	Statement of Need and Fiscal Impact OREGON003843		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
129.	Impact if NOT approved – FICS OS2 OREGON005599		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
130.	Supporting Statements for position/Why is this position needed at this time – FICS OS2 OREGON005600		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
131.	OSP Position Description for Sup Svcs Supv 3 (Sept. 1, 2023) OREGON005603	All purposes				
132.	Statement of Financial Impact on OSP from M114 (Nov. 30, 2022) OREGON006164		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
133.	List of Prohibitors to Purchase of Firearm with Legal Authority (rev. June 22, 2022) OREGON005535	All purposes				
134.	OSP FICS Training Manual OREGON005672  LF: Count I Q3; Count II		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
135.	M114 slides outlining agency responsibilities and timelines OREGON000002		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time) (will withdraw objection if Defs.' MSJ is denied)			
136.	Email from Wendy Landers to Lori Bokey, et al., Subject: RE: Formal request to CJILO for review of Oregon Ballot Measure 114 (Nov. 30, 2022) OREGON000030	All purposes				
137.	DOJ General Counsel Memorandum to Wendy Landers, et. al., Subject: Measure 114 Permitting Implementation DOJ File No.: 257001-GG1126-22 (Nov. 29, 2022) OREGON000035	All purposes				
138.	Letter from Wendy Landers to Betsy Taylor RE FBI correspondence with OSP about CHRI and CJIS access (Nov. 23, 2022) OREGON000038	All purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
139.	Letter from Richard McNally of the FBI Office of General Counsel RE Fingerprint-based national background checks pursuant to Public Law 92-544 (June 9, 2022) OREGON000040	All purposes				
140.	Questions for DOJ regarding BM114 (Oct. 12, 2022) OREGON000850	All purposes				
141.	Application Process for Oregon Permit to Purchase Firearms (2022 Ballot Measure 114) OREGON001967	All Purposes				
142.	Email from Jason Myers to Wendy Landers, Subject: Live Scan grant opportunity interest (Feb. 6, 2023) OREGON002012	All purposes				
143.	Email from Kyle Kennedy to Wendy Landers, et. al., Subject: FW: Implementation of measure 114. (Feb. 13, 2023) OREGON002029	All purposes				
144.	Email from Wendy Landers to Kyle Kennedy, Subject: RE: Implementation of measure 114 (Feb. 14, 2023) OREGON002031	All purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
145.	Work Group Chart of M114 Sections with Issues, Solutions, and Comments OREGON002056	All purposes				
146.	Work Group Chart Table of M114 Sections with Issues, Solutions, and Comments OREGON003084	All purposes				
147.	Questions for OSP from OSSA workgroup meeting, redlined and with comments (Dec. 13, 2022) OREGON006330	All purposes				
148.	Email from Rebecca David to Kevin Campbell, Subject: RE Update BM114 partner meetings (Jan. 6, 2023) OREGON001926	All purposes				
149.	BM114 - Oregon State Sheriffs' Association Language – Jason Myers OREGON002038	All purposes				
150.	Email from Rebecca David to Kevin Campbell, Subject: SB348 items (Mar. 28, 2023) OREGON003082		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
151.	Email from Terri Davie to Kevin Campbell, et. al., Subject: OSP – BM114 Information concerning questions and OSP direction. (Dec. 1, 2022) OREGON003148	All purposes				

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
152.	Withdrawn					
153.	Withdrawn					
154.	Withdrawn					
155.	Email from L. McKanna to Adrienne Anderson, et. al., Subject Re: 114 (Mar. 10, 2023) OREGON002357		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
156.	Email from Jon Eames to Adrienne Anderson, et. al., Subject: Re: 114 (Mar. 14, 2023) OREGON002366		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
157.	Public Safety Agencies: Public Safety Program Area Budget OREGON007440		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
158.	Department of State Police: 2023-2025 Governor's Recommended Budget Talking Points (in order of priority) OREGON007452		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
159.	Gun Data Codes as of March 31, 2021 OREGON006962  LF: Count III Q2	All Purposes				
160.	Email from Greg Withers to Matthew Bass, et. al., Subject: FICS Assistance – Ending January 31st (Jan. 26, 2023) OREGON00893		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time, cumulative)			
161.	Email from Rebecca David to Casey Codding, Subject: Updated FICS backlog stats. (Feb. 7, 2023) OREGON00895		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time, cumulative)			
162.	Email from Terri Davie to Casey Codding, et. al., Subject: FW: Background Check Delay OREGON009163		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time, cumulative)			
163.	Email from Casey Codding to Christopher Zohner, et. al., Subject: FICS Priority assignment/assistance – December 19, 2022 through January 2, 2023 (Dec. 15, 2022) OREGON009284		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time, cumulative)			

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
164.	2022 ORS 166.412 Narrative Report on denials of firearm transactions OREGON009449	All purposes				
165.	Chart of AM Message Notifications - ORS 166.412 with Denial Categories OREGON009452		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
166.	Email from Wendy Landers to Rebecca David, et. al., Subject: RE: SB 348 -3 (Apr. 4, 2023) OREGON009481		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
167.	Graph of FICS Background Requests (2018-2022) OREGON009512	All purposes				
168.	FICS Background Checks - Que Backlog (as of 11/14/2022) (graph) OREGON009513		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time, cumulative)			
169.	<a href="#">Withdrawn</a>					
170.	<a href="#">Withdrawn</a>					
171.	<a href="#">Withdrawn</a>					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
172.	State of Oregon Permit to Purchase Application Form OREGON009135  LF: Count I; Count II	All purposes				
173.	Email from Stephanie Bigman to Wendy Landers, Subject: BM 114 questions (Nov. 28, 2022) OREGON009180		FRE 402 (relevance)			
174.	Chart of differences between Permit to Purchase and FICS and implementation notes for the PTP regime OREGON009476	All purposes				
175.	Withdrawn					
176.	State of Oregon Permit to Purchase Application (2022 Ballot Measure 114) (annotated) OREGON013726	All purposes				
177.	Withdrawn					
178.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
179.	Withdrawn					
180.	Withdrawn					
181.	Email from Steven Duke to Karen Lejeune, Subject: FW: BM114/FICS questions/statistics due Wednesday 5pm (Feb. 13, 2023) OREGON008574		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time, cumulative)			
182.	Defendants' Responses to Plaintiffs' Requests for Admission	All purposes				
183.	Defendants' <b>Amended</b> Responses to Plaintiffs' Interrogatories	All purposes				
184.	OSP Web Statement on Transfers to Persons Under 21 and FICS call-in requirement (Screen capture taken May 14, 2023)		FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
185.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
186.	Withdrawn					
187.	Withdrawn					
188.	Withdrawn					
189.	Withdrawn					
190.	Withdrawn					
191.	State of Oregon, Office of the Secretary of State, Measure Proclamation (Dec. 8, 2022) OREGON000066  LF: Relevant to all aspects of the constitutional analysis	All purposes				
192.	Withdrawn					

PLAINTIFFS' EXHIBITS						
No.	Description	Stipulated <sup>1</sup>	Defendants' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
193.	OSP Permit to Purchase Rulemaking Advisory Committee Meeting Minutes (Apr. 20, 2023)		FRE 802 (hearsay); FRE 402 (relevance); FRE 403 (confusing the issues, wasting time)			
194.	Curriculum Vitae of Massad Ayoob (Exhibit 1 to ECF 73)	FRE 104				
195.	<a href="#">Withdrawn</a>					
196.	Curriculum Vitae of Ashley Hlebinsky (Exhibit 1 to ECF 72)	FRE 104				
197.	Curriculum Vitae of Mark Hanish (ECF 80 pp. 4-7)	FRE 104				
198.	Curriculum Vitae of Gary Kleck (Exhibit 1 to ECF 76)	FRE 104				
199.	Curriculum Vitae of Michael Carrick (Exhibit 1 to ECF 149)	FRE 104				

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
501	Withdrawn - Duplicate					
502	Carrick, Michael. Meriwether Lewis's Air Gun, Michael F. Carrick, We Proceeded On, Lewis and Clark Trail Heritage Foundation (Nov. 2002), p. 15 (Carrick Decl. Ex. 2)	All Purposes				
503	Recreation of an Austrian Girardoni system accoutrements bag, including bullet mold, air pump, spare air flasks, wrenches and ladle, available at <a href="https://en.wikipedia.org/wiki/Girardoni_air_rifle#/media/File:Austrian_Girandoni_system_Accouterments_Bag.jpg">https://en.wikipedia.org/wiki/Girardoni_air_rifle#/media/File:Austrian_Girandoni_system_Accouterments_Bag.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
504	Girardoni Air Gun (original 1780 example) Video, Forgotten Weapons, available at <a href="https://www.youtube.com/watch?v=2dZLeEUE940">https://www.youtube.com/watch?v=2dZLeEUE940</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
505	Withdrawn					

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
506	<a href="#">Withdrawn</a>					
507	FN Announces Release of CA-Compliant Rifles. NF America, Press Release (Aug. 1, 2017)		FRE 802 (hearsay)			
508	<a href="#">Withdrawn - duplicate</a>		N/A			
509	<i>U.S. v. Ernest</i> , United States District Court, Southern District of California, No. 3-19-cr-1850-AJB, Change of Plea Transcript (Sept. 17, 2021)		FRE 802 (hearsay); FRE 402 (relevance) MIL 4, 5			
510	<i>Eyre</i> Declaration of Jason Myers		FRE 802 (hearsay)			
511	Second Declaration of Jason Myers (ECF 77)		FRE 802 (hearsay)			
512	<a href="#">Withdrawn</a>					
513	<a href="#">Withdrawn</a>		N/A			
514	<a href="#">Withdrawn</a>		N/A			
515	<a href="#">Withdrawn</a>		N/A			
516	<a href="#">Withdrawn</a>		N/A			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
517	<a href="#">Withdrawn</a>		N/A			
518	Union Co Sheriff Online CHL	All Purposes				
519	Union County Sheriff's Office Email and Draft M114 Training (Dec. 1, 2022)	All Purposes				
520	<a href="#">Withdrawn</a>					
521	<a href="#">Withdrawn - duplicate</a>					
522	OACP-OSSA - BM 114, Permit to Purchase Process, Updated 3-15-2023		FRE 802 (hearsay) FRE 402 (relevance)			
523	OACP-OSSA - BM 114, Best Practices for Certifying Instructors for BM 114 Training and In-Person Demo, Updated 3-15-2023		FRE 802 (hearsay) FRE 402 (relevance)			
524	OACP-OSSA - BM 114, In-Person Demonstration Certificate, Updated 3-15-2023		FRE 802 (hearsay) FRE 402 (relevance)			
525	OACP-OSSA - BM 114, In-Person Demonstration Procedures and FAQ, Updated 3-15-2023		FRE 802 (hearsay) FRE 402 (relevance)			
526	<a href="#">Withdrawn</a>					

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
527	Oregon State Sheriffs' Association Concealed Handgun Licensing Website, <a href="https://oregonchl.org/">https://oregonchl.org/</a> , visited May 14, 2023.		FRE 802 (hearsay) FRE 402 (relevance) MIL 3			
528	Oregon State Sheriffs' Association CHL & Purchase Permit Course, <a href="https://oregonsheriffs.org/chl/">https://oregonsheriffs.org/chl/</a> , visited April 26, 2023.		FRE 802 (hearsay) FRE 402 (relevance)			
529	OSSA Civil Manual 2021 Edition		FRE 802 (hearsay) FRE 402 (relevance)			
530	Withdrawn - Duplicate					
531	Oregon Permit to Purchase Application (Dec. 2022), available at <a href="https://www.oregon.gov/osp/Docs/Oregon%20Permit%20to%20Purchase%20Application-v5-%20December%202012,%202022.pdf">https://www.oregon.gov/osp/Docs/Oregon%20Permit%20to%20Purchase%20Application-v5-%20December%202012,%202022.pdf</a>	All Purposes				
532	Process Map: Fingerprinting, Nov. 21, 2022		FRE 901 (Authentic)			
533	Process Map: Permit to Purchase, Nov. 29, 2022		FRE 901 (Authentic)			
534	Process Map: Permitting Agents, Dec. 1, 2022		FRE 901 (Authentic)			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
535	Curriculum Vitae of Lucy Allen <sup>6</sup>	FRE 104				
536	Allen Declaration Table (p. 8). Number of Shots Fired in Self-Defense Based on NRA Armed Citizen Incidents in the United States, January 2011 - May 2017	FRE 703	FRE 802 (hearsay) MIL 2			
537	Allen Declaration Table (p. 13). Number of Shots Fired in Self-Defense in the Home Based on Random Selection of Articles from Factiva, January 2011 - May 2017	FRE 703	FRE 802 (hearsay) MIL 4, 5			
538	Allen Declaration Table (p. 18). Numbers of Fatalities and Injuries in Public Mass Shootings, 1982 - October 2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
539	Allen Declaration Table (p.22). Number of Guns Involved per Mass Shooting	FRE 703	FRE 802 (hearsay) MIL 4, 5			
540	Allen Declaration Ex. B. Public Mass Shootings Data, 1982 - October 2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			

<sup>6</sup> Plaintiffs filed motions to exclude expert testimony under *Daubert* and Federal Rule of Evidence 702. If granted, these motions would affect the admissibility of a substantial portions of Defendants' and Intervenor's exhibits.

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
541	Allen Declaration Table (p. 12). Average Number of News Stories by Number of Shots Fired in Factiva Stories on Incidents of Self-Defense with a Firearm, January 2011	FRE 703	FRE 802 (hearsay) MIL 2			
542	Allen Declaration Table (p. 20). Comparison of Studies on the Use of Large-Capacity Magazines in Mass Shootings	FRE 703	FRE 802 (hearsay) MIL 4, 5			
543	Allen Declaration Table (p. 30). Number of News Stories Covering Mass Shootings	FRE 703	FRE 802 (hearsay) MIL 4, 5			
544	Curriculum Vitae of Brian DeLay	FRE 104				
545	April 18, 1806, entry by Meriwether Lewis, Journals of the Lewis & Clark Expedition, available at <a href="https://lewisandclarkjournals.unl.edu/item/lc.jrn.1806-04-18#lc.jrn.1806-04-18.01">https://lewisandclarkjournals.unl.edu/item/lc.jrn.1806-04-18#lc.jrn.1806-04-18.01</a>	All Purposes				
546	August 30, 1803, entry by Meriwether Lewis, Journals of the Lewis & Clark Expedition, available at <a href="https://lewisandclarkjournals.unl.edu/item/lc.mult.1803-08-30kloefkorn">https://lewisandclarkjournals.unl.edu/item/lc.mult.1803-08-30kloefkorn</a>	All Purposes				

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
547	Mauser Model 712 “Schnellfeuer” Machine Pistol image on the NRA Museums Website, available at <a href="https://www.nramuseum.org/guns/the-galleries/wwii,-korea,-vietnam-and-beyond-1940-to-present/case-37-wwii-the-axis,-germany-italy/mauser-model-712-schnellfeuer-machine-pistol.aspx">https://www.nramuseum.org/guns/the-galleries/wwii,-korea,-vietnam-and-beyond-1940-to-present/case-37-wwii-the-axis,-germany-italy/mauser-model-712-schnellfeuer-machine-pistol.aspx</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
548	DMW Model 1914 Artillery Luger Snail Drum Magazine image on the NRA Museums Website, available at <a href="https://www.nramuseum.org/guns/the-galleries/world-war-i-and-firearms-innovation/case-34-world-war-i-the-central-powers/dwm-model-1914-artillery-luger-snail-drum-magazine.asp">https://www.nramuseum.org/guns/the-galleries/world-war-i-and-firearms-innovation/case-34-world-war-i-the-central-powers/dwm-model-1914-artillery-luger-snail-drum-magazine.asp</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
549	Henry Rifle 1860 Instruction Manual, available at <a href="http://www.ubertireplicas.com/wp-content/uploads/2018/08/Manuale-Istruzioni-1860-HENRY.pdf">http://www.ubertireplicas.com/wp-content/uploads/2018/08/Manuale-Istruzioni-1860-HENRY.pdf</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
550	Henry Rifle Patent Drawing, 1860, available at <a href="https://en.wikipedia.org/wiki/Henry_rifle#/media/File:Patent_drawing_Henry_Rifle.jpg">https://en.wikipedia.org/wiki/Henry_rifle#/media/File:Patent_drawing_Henry_Rifle.jpg</a>	All Purposes				

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
551	Puckle Gun Images, Institute of Military Technology, available at <a href="https://www.instmiltech.com/he-puckle-gun/">https://www.instmiltech.com/he-puckle-gun/</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
552	Puckle Gun Patent, 1718, Institute of Military Technology, available at <a href="https://www.instmiltech.com/he-puckle-gun/">https://www.instmiltech.com/he-puckle-gun/</a>	All Purposes				
553	Lorenzoni Repeating Flintlock images, Met Museum, available at <a href="https://www.metmuseum.org/art/collection/search/788263">https://www.metmuseum.org/art/collection/search/788263</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
554	Vanderlinden, Anthony, Winchester Lever-Actions Go To War, NRA American Rifleman (June 11, 2015). <a href="https://www.americanrifleman.org/content/winchester-lever-actions-go-to-war/">https://www.americanrifleman.org/content/winchester-lever-actions-go-to-war/</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
555	Curriculum Vitae of Louis Klarevas [Klarevas Decl. Ex. A]	FRE 104				
556	Dataset maintained by Louis Klarevas [Klarevas Decl. Ex. C]	FRE 703	FRE 802 (hearsay)			
557	Louis Klarevas, "Rampage Nation: Securing America from Mass Shootings" (Prometheus Books): pp. 239-243. [Klarevas Decl. Ex. I]	FRE 703	FRE 802 (hearsay) MIL 4, 5			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
558	Louis Klarevas, et al., "The Effect of Large-Capacity Magazine Bans on High-Fatality Mass Shootings," 109 American Journal of Public Health 1754 (2019) [Klarevas Decl. Ex. J]	FRE 703	FRE 802 (hearsay) MIL 4, 5			
559	Charles DiMaggio, et al., "Changes in US Mass Shooting Deaths Associated with the 1994-2004 Federal Assault Weapons Ban: Analysis of Open-Source Data," 86 Journal of Trauma and Acute Care Surgery 11 (2019) [Klarevas Decl. Ex. K]	FRE 703	FRE 802 (hearsay) MIL 4, 5			
560	Lori Post, et al., "Impact of Firearm Surveillance on Gun Control Policy: Regression Discontinuity Analysis," 7 JMIR Public Health and Surveillance (2021) [Klarevas Decl. Ex. L]	FRE 703	FRE 802 (hearsay) MIL 4			
561	Philip J. Cook and John J. Donohue, "Regulating Assault Weapons and Large-Capacity Magazines for Ammunition," 328 JAMA, September 27, 2022 [Klarevas Decl. Ex. M]	FRE 703	FRE 802 (hearsay) MIL 4			
562	Klarevas Declaration Table 2. The Use of LCMs in the Deadliest Acts of Intentional Criminal Violence in the U.S. since 9/11	FRE 703	FRE 802 (hearsay) MIL 4, 5			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
563	Klarevas Declaration Table 3. The Average Death Tolls Associated with the Use of LCMs in High-Fatality Mass Shootings in the U.S., 1990-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
564	Klarevas Declaration Table 4. Mass Shootings Resulting in Double-Digit Fatalities in U.S. History, 1776-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
565	Klarevas Declaration Table 5. Firearm Models Sold with Factory-Issue LCMs in U.S., 1955-1995	FRE 703	FRE 802 (hearsay) MIL 4, 5			
566	Klarevas Declaration Table 6. Incidence and Fatality Rates for High-Fatality Mass Shootings, by Whether or Not Bans on LCMs Were in Effect, 1990-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
567	Klarevas Declaration Figure 1. Annual Trends in High-Fatality Mass Shooting Incidents, 1990-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
568	Klarevas Declaration Figure 2. Annual Trends in High-Fatality Mass Shooting Fatalities, 1990-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
569	Klarevas Declaration Figure 3. Share of High-Fatality Mass Shooting Incidents Involving LCMs, 1990-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
570	Klarevas Declaration Figure 4. Share of High-Fatality Mass Shooting Deaths Resulting from Incidents Involving LCMs, 1990-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
571	Klarevas Declaration Figure 5. Percentage of High-Fatality Mass Shootings Involving LCMs by Fatality Threshold, 1990-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
572	Klarevas Declaration Figure 6. Mass Shootings Resulting in Double-Digit Fatalities in U.S. History, 1776-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
573	Klarevas Declaration Figure 7. Mass Shootings Resulting in Double-Digit Fatalities in U.S. History, 1949-2022	FRE 703	FRE 802 (hearsay) MIL 4, 5			
574	Curriculum Vitae of David McDowall, Ph.D. [McDowall Decl. Ex. A]	FRE 104				
575	Cook, P. & Ludwig, J., "Defensive Gun Uses: New Evidence from a National Survey," Journal of Quantitative Criminology, Vol. 14, No. 2, 1998, pp. 111-131.	FRE 703	FRE 802 (hearsay) MIL 2			
576	Cook, P, Ludwig, J, & Hemenway, D. "The Gun Debate's New Mythical Number: How Many Defensive Uses Per Year?" Journal of Policy Analysis and Management, Volume 16, 1997, pp. 463-469	FRE 703	FRE 802 (hearsay) MIL 2			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
577	Hemenway, D., "Survey Research and Self-Defense Gun Use: An Explanation of Extreme Overestimates," Journal of Criminal Law and Criminology, Vol. 87, Issue 4, 1997, pp. 1430-1445	FRE 703	FRE 802 (hearsay) MIL 2			
578	Wellford, C., Pepper, J., and Petrie, C., "Firearms and Violence: A Critical Review," National Research Council of the National Academies, Ch. 52005, pp.102-119	FRE 703	FRE 802 (hearsay) MIL 2			
579	McDowall, D., and Wiersema, B., "The Incidence of Defensive Firearm Use by US Crime Victims, 1987 through 1990." American Journal of Public Health, Volume 84, Number 12, 1994, pp. 1982-1984	FRE 703	FRE 802 (hearsay) MIL 2			
580	Rand, M., Guns and Crime (NCJ-147003), Washington, DC, U.S. Bureau of Justice Statistics, 1994		MIL 4			
581	Smith, T., "A Call for a Truce in the DGU War," Journal of Criminal Law & Criminology, Vol. 87, No. 4, 1997, pp. 1462-1469		MIL 4, 5			
582	Curriculum Vitae of Roger Pauly	FRE 104				

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
583	17th century Musket Manual, available at <a href="https://commons.wikimedia.org/wiki/File:Manual_of_the_Musketeer,_17th_Century.jpg">https://commons.wikimedia.org/wiki/File:Manual_of_the_Musketeer,_17th_Century.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
584	Photograph: Early Matchlock Design, available at <a href="https://commons.wikimedia.org/wiki/File:PS8004046.jpg">https://commons.wikimedia.org/wiki/File:PS8004046.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
585	Photograph Wheel Lock in the Firing Position, available at <a href="https://commons.wikimedia.org/wiki/File:Wheellock_mechanism_01.png">https://commons.wikimedia.org/wiki/File:Wheellock_mechanism_01.png</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
586	Photograph: Flintlock Mechanism, available at <a href="https://commons.wikimedia.org/wiki/File:Flintlock_Blunder_buss_MET_DP165769.jpg">https://commons.wikimedia.org/wiki/File:Flintlock_Blunder_buss_MET_DP165769.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
587	Photograph: Brown Bess Musket, available at <a href="https://commons.wikimedia.org/wiki/File:Richard_Wilson_Brown_Bess_Musket_transparent.png">https://commons.wikimedia.org/wiki/File:Richard_Wilson_Brown_Bess_Musket_transparent.png</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
588	Photograph: 1808 American Rifle, available at <a href="https://commons.wikimedia.org/wiki/File:Virginia_Manufactory_1808_Contract_Flintlock_Rifle-NMAH-AHB2015q037944.jpg">https://commons.wikimedia.org/wiki/File:Virginia_Manufactory_1808_Contract_Flintlock_Rifle-NMAH-AHB2015q037944.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			

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No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
589	Photograph: Two Minie Balls, available at <a href="https://commons.wikimedia.org/wiki/File:Minie_Balls.jpg">https://commons.wikimedia.org/wiki/File:Minie_Balls.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
590	Photograph: Percussion Lock, available at <a href="https://commons.wikimedia.org/wiki/File:Perkussionsschloss-Le_Page-in-Laderast.jpg">https://commons.wikimedia.org/wiki/File:Perkussionsschloss-Le_Page-in-Laderast.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
591	Photograph: 1851 Model Colt Pistol, available at <a href="https://commons.wikimedia.org/wiki/File:Colt_Model_1851_Navy_Percussion_Revolver,_serial_no._2_MET_LC-68_157_2-015.jpg">https://commons.wikimedia.org/wiki/File:Colt_Model_1851_Navy_Percussion_Revolver,_serial_no._2_MET_LC-68_157_2-015.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
592	Photograph Sharps Breechloader in closed position, available at <a href="https://commons.wikimedia.org/wiki/File:Sharps_Carbine_close-up.jpg">https://commons.wikimedia.org/wiki/File:Sharps_Carbine_close-up.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
593	Photograph Sharps Breechloader in open position, available at <a href="https://commons.wikimedia.org/wiki/File:Sharps_Rifle_Action.JPG">https://commons.wikimedia.org/wiki/File:Sharps_Rifle_Action.JPG</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
594	Photograph: Late Nineteenth Century Metal Cartridges, available at <a href="https://commons.wikimedia.org/wiki/File:Cal_45_LongColt.JPG">https://commons.wikimedia.org/wiki/File:Cal_45_LongColt.JPG</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
595	Photograph: Henry Rifle, available at <a href="https://commons.wikimedia.org/wiki/File:NMAH-2004-26295-12.jpg">https://commons.wikimedia.org/wiki/File:NMAH-2004-26295-12.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
596	Photograph: Reloading the Henry Rifle, available at <a href="https://commons.wikimedia.org/wiki/File:Henry_rifle_operation_03_loading_up_the_cartridges.jpg">https://commons.wikimedia.org/wiki/File:Henry_rifle_operation_03_loading_up_the_cartridges.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
597	Photograph: Lee-Metford Rifle, available at <a href="https://commons.wikimedia.org/wiki/File:Lee-Metford_Mk_II_-_AM.032034.jpg">https://commons.wikimedia.org/wiki/File:Lee-Metford_Mk_II_-_AM.032034.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
598	Photograph: Gatling Gun, available at <a href="https://commons.wikimedia.org/wiki/File:Gatling_gun,_British_1865_(16837609147).jpg">https://commons.wikimedia.org/wiki/File:Gatling_gun,_British_1865_(16837609147).jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
599	Photograph: Maxim Gun, available at <a href="https://commons.wikimedia.org/wiki/File:Metralhadora_1884.jpg">https://commons.wikimedia.org/wiki/File:Metralhadora_1884.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
600	Photograph: Colt M1911, available at <a href="https://commons.wikimedia.org/wiki/File:M1911A1.png">https://commons.wikimedia.org/wiki/File:M1911A1.png</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
601	Photograph: Artillery Luger, available at <a href="https://commons.wikimedia.org/wiki/File:Arty08.jpg">https://commons.wikimedia.org/wiki/File:Arty08.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
602	Photograph: Bergmann Machine Pistol 18, available at <a href="https://commons.wikimedia.org/wiki/File:Bergmann_MP18_1_noBG.png">https://commons.wikimedia.org/wiki/File:Bergmann_MP18_1_noBG.png</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
603	Photograph: Thompson Submachine Gun, available at <a href="https://commons.wikimedia.org/wiki/File:Thompson_submachine_gun_noBG.png">https://commons.wikimedia.org/wiki/File:Thompson_submachine_gun_noBG.png</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
604	Photograph: StG44 Sturmgewehr, available at <a href="https://commons.wikimedia.org/wiki/File:Sturmgewehr_44.jpg">https://commons.wikimedia.org/wiki/File:Sturmgewehr_44.jpg</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
605	Photograph: Comparison M-16A2 and AK-47, available at <a href="https://commons.wikimedia.org/wiki/File:M16_and_AK-47_comparison.png">https://commons.wikimedia.org/wiki/File:M16_and_AK-47_comparison.png</a>	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
606	Curriculum Vitae of Brennan Rivas	FRE 104				
607	Confederate Bowie Knife and Scabbard, National Museum of American History, <a href="https://americanhistory.si.edu/collections/search/object/nmaah_438749">https://americanhistory.si.edu/collections/search/object/nmaah_438749</a>	All Purposes				
608	Curriculum Vitae of Dr. Michael Siegel, MD	FRE 104				

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
609	Siegel M, Goder-Reiser M, Duwe G, Rocque M, Fox JA, Fridel EE. The Relation Between State Gun Laws and the Incidence and Severity of Mass Public Shootings in the United States, 1976–2018. Law and Human Behavior 2020; 44(5):347-36	FRE 703	FRE 802 (hearsay) MIL 4, 5			
610	Siegel M, Solomon B, Knopov A, Rothman EF, Cronin SW, Xuan Z, Hemenway D. The impact of state firearm laws on homicide rates in suburban and rural areas compared to large cities in the United States, 1991- 2016. Journal of Rural Health 2020; 36(2):255-265	FRE 703	FRE 802 (hearsay) MIL 4			
611	Klarevas, L., Conner, A., & Hemenway, D. (2019). The effect of large capacity magazine bans on high-fatality mass shootings, 1990–2017. American Journal of Public Health, 109, 1754–1761	FRE 703	FRE 802 (hearsay) MIL 4, 5			
612	Koper, C. S. (2020). Assessing the potential to reduce deaths and injuries from mass shootings through restrictions on assault weapons and other high-capacity semiautomatic firearms. Criminology & Public Policy, 19, 147–170	FRE 703	FRE 802 (hearsay) MIL 4, 5			

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No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
613	Withdrawn – Duplicate					
614	Webster, D. W., McCourt, A. D., Crifasi, C. K., Booty, M. D., & Stuart, E. A. (2020). “Evidence concerning the regulation of firearms design, sale, and carrying on fatal mass shootings in the United States.” <i>Criminology &amp; Public Policy</i> , 19, 171–212	FRE 703	FRE 802 (hearsay) MIL 4, 5			
615	Cannon, A. <i>Mayhem multiplied: Mass shooters and assault weapons</i> . New York: Citizens Crime Commission of New York City (2018)	FRE 703	FRE 802 (hearsay) MIL 4, 5			
616	Dillon, L. <i>Mass shootings in the United States: An exploratory study of the trends from 1982–2012</i> (2013, Master’s thesis). Fairfax: Department of Criminology, Law and Society, George Mason University	FRE 703	FRE 802 (hearsay) MIL 4, 5			
617	Gius, M. (2015). The impact of state and federal assault weapons bans on public mass shootings. <i>Applied Economics Letters</i> , 22, 281–284. <a href="http://dx.doi.org/10.1080/13504851.2014.939367">http://dx.doi.org/10.1080/13504851.2014.939367</a>	FRE 703	FRE 802 (hearsay) MIL 4, 5			
618	Liu Y, Siegel M, Sen B. Association of state-level firearm-related deaths with firearm laws in neighboring states. <i>JAMA Network Open</i> 2022; 5(11):e2240750	FRE 703	FRE 802 (hearsay) MIL 4, 5			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
619	McCourt, Crifasi CK, Stuart EA, et al. Purchaser licensing, point-of-sale background check laws, and firearm homicide and suicide in 4 US states, 1985-2017. American Journal of Public Health 2020; 110(10):1546-1552	FRE 703	FRE 802 (hearsay) MIL 4			
620	Crifasi CK, Merrill-Francis M, McCourt A, Vernick JS, Wintemute GH, Webster DW. Association between firearm laws and homicide in urban counties. J Urban Health 2018; 95:383-390. <a href="https://link.springer.com/article/10.1007/s11524-018-0273-3">https://link.springer.com/article/10.1007/s11524-018-0273-3</a>	FRE 703	FRE 802 (hearsay) MIL 4			
621	Crifasi CK, Merrill-Francis M, McCourt A, Vernick JS, Wintemute GH, Webster DW. Correction to: Association between firearm laws and homicide in urban counties. J Urban Health 2018; 95(5):773-776	FRE 703	FRE 802 (hearsay) MIL 4			
622	Rudolph KE, Stuart EA, Vernick JS, Webster DW. Association between Connecticut's permit-to-purchase handgun law and homicides. American Journal of Public Health 2015; 105(8):e49-e54	FRE 703	FRE 802 (hearsay) MIL 4			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
623	Webster DW, Crifasi DK, Vernick JS. Effects of repeal of Missouri's handgun purchaser licensing law on homicides. <i>J Urban Health</i> 2014; 91(2):293-302. <a href="https://link.springer.com/article/10.1007/s11524-014-9865-8">https://link.springer.com/article/10.1007/s11524-014-9865-8</a>	FRE 703	FRE 802 (hearsay) MIL 4			
624	Lester D, Murrell ME. The preventive effect of strict gun control laws on suicide and homicide. <i>Suicide and Life-Threatening Behavior</i> 1982; 12:131–140. <a href="https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1943-278X.1982.tb00935">https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1943-278X.1982.tb00935</a>	FRE 703	FRE 802 (hearsay) MIL 4			
625	Crifasi CK, McCourt AD, Webster DW. The Impact of Handgun Purchaser Licensing on Gun Violence. Baltimore, MD: Johns Hopkins Bloomberg School of Public Health, Center for Gun Policy and Research; 2019	FRE 703	FRE 802 (hearsay) MIL 4			
626	Sumner SA, Layde PM, Guse CE. Firearm death rates and association with level of firearm purchase: An explanatory study. <i>American Journal of Preventive Medicine</i> 2012; 55:346-350	FRE 703	FRE 802 (hearsay) MIL 4			

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627	U.S. General Accounting Office. Gun Control: Implementation of the National Instant Criminal Background Check System 13 (Feb. 2000)	FRE 703	FRE 802 (hearsay) MIL 4			
628	Siegel Declaration Table A: Studies Examining the Effectiveness of State-Level Large Capacity Ammunition Magazine Bans on the Incidence and Severity of Mass Public Shootings	FRE 703	FRE 802 (hearsay) MIL 4			
629	Siegel Declaration Table B: Studies Examining the Effectiveness of State Gun Permit Requirements in Reducing Firearm Homicide Rates	FRE 703	FRE 802 (hearsay) MIL 4			
630	Koper, C.S. (2004). An updated assessment of the Federal Assault Weapons Ban: Impacts on gun markets and gun violence, 1994-2003 (Report to the National Institute of Justice). Philadelphia: Jerry Lee Center of Criminology, University of Pennsylvania	All Purposes				

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631	Criminal Justice Information Services Division of the Federal Bureau of Investigation, U.S. Department of Justice. National Instant Criminal Background Check System (NICS) Operations 2019. <a href="https://www.fbi.gov/file-repository/2019-nics-operations-report.pdf">https://www.fbi.gov/file-repository/2019-nics-operations-report.pdf</a>	All Purposes				
632	Curriculum Vitae of Robert Spitzer [Spitzer Decl. Ex. A]	FRE 104				
633	Firearm Hardware Restrictions Table (Years of Enactment) [Spitzer Decl. Ex. B]	FRE 703	FRE 802 (hearsay)			
634	Dangerous Weapons Restrictions (Years of Enactment) [Spitzer Decl. Ex. C]	FRE 703	FRE 802 (hearsay)			
635	Machine Gun and Semi-Automatic Firearms Laws [Spitzer Decl. Ex. D]	FRE 703	FRE 802 (hearsay)			
636	Dangerous Weapons Laws [Spitzer Decl. Ex. E]	FRE 703	FRE 802 (hearsay)			
637	Trap Gun Restrictions [Spitzer Decl. Ex. F]	FRE 703	FRE 802 (hearsay)			
638	“The Man Trap,” Newspapers by Ancestry.com 1870 [Spitzer Decl. Ex. G]	FRE 703	FRE 802 (hearsay)			

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639	Bowie Knife Laws by Type [Spitzer Decl. Ex. H]	FRE 703	FRE 802 (hearsay)			
640	Gunpowder Gun Laws [Spitzer Decl. Ex. I]	FRE 703	FRE 802 (hearsay)			
641	Gunpowder Storage/Use Laws [Spitzer Decl. Ex. J]	FRE 703	FRE 802 (hearsay)			
642	Report of Firearms Committee, 38th Conference Handbook of the National Conference on Uniform State Laws and Proceedings of the Annual Meeting 422–23 (1928)	FRE 703				
643	“Uniform Machine Gun Act,” National Conference of Commissioners on Uniform State Laws, Forty-Second Annual Conference, Washington, D.C., October 4–10, 1932, <a href="https://www.titleii.com/bardwell/1932_uniform_machine_gun_act.txt">https://www.titleii.com/bardwell/1932_uniform_machine_gun_act.txt</a>	FRE 703				
644	Robert J. Spitzer, “Gun Law History in the United States and Second Amendment Rights,” Law and Contemporary Problems 80 (2017): 68–71	FRE 703	FRE 802 (hearsay)			
645	Curriculum Vitae of Kevin Sweeney	FRE 104				

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
646	Sweeney Declaration Ex. B. Drawing of Repeating Gun	Admissible (Photos only)	FRE 802 (hearsay) as to text.			
647	De Witt Bailey, "The Wilson Gunmakers to Empire, 1730-1832" American Society of Arms Collectors Bulletin No. 85, 1935	All Purposes				
648	Correspondence between John [sic.] Belton and the Continental Congress, available at <a href="https://en.wikisource.org/wiki/Correspondence_between_John_Belton_and_the_Continental_Congress">https://en.wikisource.org/wiki/Correspondence_between_John_Belton_and_the_Continental_Congress</a> , exported May 2, 2023	All Purposes				
649	Benjamin Franklin to Silas Deane, August 27, 1775 in Papers of Benjamin Franklin, Vol. 22, 183-185	All Purposes				
650	Declaration Table 1. Firearms in Probate Inventories of Male Decedents Filed between 1740-1800	FRE 703	FRE 802 (hearsay)			
651	Declaration Table 2. Partial Virginia Militia Returns Indicating Types of Arms in Use, 1781-1784	FRE 703	FRE 802 (hearsay)			
652	Curriculum Vitae of James Yurgealitis	FRE 104				
653	Glock 2022 Buyer's Guide, available at <a href="https://us.glock.com">https://us.glock.com</a> , last accessed Dec. 11, 2022	All Purposes				

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654	Glock 2023 Buyer's Guide, downloaded from <a href="https://us.glock.com/en/downloadable-materials">https://us.glock.com/en/downloadable-materials</a> , last accessed May 13, 2023	All Purposes				
655	Magpul PMAG 10 AK/AKM MOE, available at <a href="https://magpul.com/firearm-accessories/pmags/ak-akm/pmag-10-ak-akm-moe.html">https://magpul.com/firearm-accessories/pmags/ak-akm/pmag-10-ak-akm-moe.html</a>	All Purposes				
656	Magpul PMAG 10 GL9, 9x19 – GLOCK G17, available at <a href="https://magpul.com/firearm-accessories/pmags/pmag-10-gl9-glock-g17.html">https://magpul.com/firearm-accessories/pmags/pmag-10-gl9-glock-g17.html</a>	All Purposes				
657	Magpul PMAG 10 AR/M4 GEN M3 – GLOCK G17, available at <a href="https://magpul.com/firearm-accessories/pmags/pmag-10-ar-m4-gen-m3.html">https://magpul.com/firearm-accessories/pmags/pmag-10-ar-m4-gen-m3.html</a>	All Purposes				
658	Ruger Pistols Available in Massachusetts, <a href="https://ruger.com/search/state_ma/pistol">https://ruger.com/search/state_ma/pistol</a>	All Purposes				
659	Sentry Tactical AR-15, available at <a href="https://sentrytactical.com/sentry-hexmag-ar-15-m4-m16-magazine-series-2-10-rds/">https://sentrytactical.com/sentry-hexmag-ar-15-m4-m16-magazine-series-2-10-rds/</a>	All Purposes				
660	Sig Sauer P226 MK25 Pistol, available at <a href="https://www.sigsauer.com/p226-mk25-full-size.html">https://www.sigsauer.com/p226-mk25-full-size.html</a>	All Purposes				

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661	Sig Sauer P365-380 Pistol, available at <a href="https://www.sig-sauer.com/p365-380.html">https://www.sig-sauer.com/p365-380.html</a>	All Purposes				
662	Smith & Wesson - State Compliance (Massachusetts), <a href="https://www.smith-wesson.com/state-compliance">https://www.smith-wesson.com/state-compliance</a> , last accessed Dec. 11, 2022	All Purposes				
663	Image of Colt AR-15, from Colt's 1964 Dealer Catalog, <a href="https://thecoltar15resource.com/1964-catalog/">https://thecoltar15resource.com/1964-catalog/</a>	All Purposes				
664	Image of 10-round magazine for Browning 9mm "Hi Power" semiautomatic pistol, <a href="https://www.brownells.com/gun-parts/magazines/handgun-magazines-parts/magazine-10-round-browning-high-power/">https://www.brownells.com/gun-parts/magazines/handgun-magazines-parts/magazine-10-round-browning-high-power/</a>	All Purposes				
665	Page from Smith & Wesson's online catalog, rifle with 10-round capacity, <a href="https://www.smith-wesson.com/product/m-p-15-sport-ii-compliant">https://www.smith-wesson.com/product/m-p-15-sport-ii-compliant</a>	All Purposes				

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No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
666	Page from Sportsman's Warehouse online catalog, California Compliant Glock Pistols, <a href="https://www.sportsmans.com/shooting-gear-gun-supplies/handguns/glock-19-9mm-luger402in-black-nitrite-pistol-101-rounds-california-compliant/p/1155366">https://www.sportsmans.com/shooting-gear-gun-supplies/handguns/glock-19-9mm-luger402in-black-nitrite-pistol-101-rounds-california-compliant/p/1155366</a>	All Purposes				
667	Page from Mec-Gar 10-online catalog, 10-round magazines for use in firearms that come with high capacity magazines, <a href="https://mec-gar.com/shop/magazines/sig-sauer/sig-sauer-p229-1-9mm-10-round/">https://mec-gar.com/shop/magazines/sig-sauer/sig-sauer-p229-1-9mm-10-round/</a>	All Purposes				
668	Page from ProMag online catalog, 10-round magazines for use in firearms that come with high capacity magazines, <a href="https://promagindustries.com/fits-the-glock-model-17-19-26-9mm-10-rd-black-polymer/">https://promagindustries.com/fits-the-glock-model-17-19-26-9mm-10-rd-black-polymer/</a>	All Purposes				
669	Email from Danny Michael, Curator, Cody Museum to Sweeney re Lukens air gun (Nov. 2, 2022)		FRE 802 (hearsay) FRE 402 (relevance)			

DEFENDANTS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
670	Letter from Benjamin Franklin to George Washington re Belton submarine (July 22, 1776), available at <a href="https://founders.archives.gov/documents/Washington/03-05-02-0311">https://founders.archives.gov/documents/Washington/03-05-02-0311</a>	All Purposes				
671	Spitzer Declaration Table 1. Ammunition Magazine Restrictions in 23 States, 1917-1934	FRE 703	FRE 802 (hearsay)			
672	<i>Eyre</i> Plaintiffs' Responses to Interrogatories (Set One) from Defendants, Interrogatory 9		FRE 106 (completeness)			

(A) INTERVENORS' EXHIBITS						
No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
701	Withdrawn					
702	Withdrawn					
703	Withdrawn					
704	Withdrawn					
705	Withdrawn					
706	Withdrawn					

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707	Withdrawn					
708	Withdrawn					
709	Withdrawn					
710	Withdrawn					
711	Withdrawn					
712	Withdrawn					
713	Withdrawn					
714	Withdrawn					
715	Mark Hanish Bio (Hanish Dep. Ex. 2)	All Purposes				
716	Withdrawn					
717	Withdrawn					
718	Yahoo Finance, AMMO, Inc. (POWW), <a href="https://finance.yahoo.com/quote/POWW/">https://finance.yahoo.com/quote/POWW/</a>		FRE 402 (relevance) FRE 803 (hearsay)			
719	W.H. "Chip" Gross, <i>Ashley Hlebinsky: Historically Speaking</i> , NRA Women (Hlebinsky Dep. Ex. 31)	All Purposes				
720	Withdrawn					
721	Withdrawn					
722	Withdrawn					
723	Withdrawn – Duplicate					

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724	Withdrawn					
725	Withdrawn					
726	Withdrawn					
727	J. Pete Blair & Katherine W. Schweit, Texas State Univ. & Fed. Bur. of Investigation, A Study of Active Shooter Incidents in the United States, 2000 – 2013 (2014) (Kleck Dep. Ex. 47)		FRE 402 (relevance) FRE 803 (hearsay) MIL 4, 5			
728	Withdrawn					
729	Withdrawn					
730	Report of the State's Attorney for the Judicial District of Danbury on the Shootings at Sandy Hook Elementary School and 36 Yogananda Street, Newtown, Connecticut on December 14, 2012 (Kleck Dep. Ex. 50)		MIL 4, 5			
731	Robert A. Waters, <i>Guns Save Lives</i> (2002)	All Purposes				
732	Chris Bird, <i>Thank God I Had a Gun</i> (2d ed.2014)	All Purposes				
733	<i>Baltimore man pleads not guilty in Cross Keys robbery</i> , Wash. Examiner, May 10, 2006		FRE 402 (relevance) FRE 803 (hearsay) MIL 4			

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734	Gus G. Sentementes and Julie Bykowicz, <i>Documents detail Cross Keys shooting</i> , Baltimore Sun, Mar. 20, 2006		FRE 402 (relevance) FRE 803 (hearsay) MIL 4			
735	<i>Jewelry store burglarized, scene of deadly 1994 robbery attempt</i> , WWBT NBC 12, Jan. 4, 2012		FRE 402 (relevance) FRE 803 (hearsay) MIL 4			
736	Oxford Eng. Dictionary, "Magazine"	All Purposes				
737	Oxford Eng. Dictionary, "Accoutrements"	All Purposes				
738	Oxford Eng. Dictionary, "Cartridge box"	All Purposes				
739	William Dobein James, "A sketch of the life of Brig. Gen. Francis Marion and a history of his brigade" (1821).	All Purposes				
740	Journals of the Continental Congress (1774) (excerpt 1)	All Purposes				
741	Journals of the Continental Congress (1774) (excerpt 2)	All Purposes				
742	George Washington, General Orders (February 17, 1776)	All Purposes				
743	George Washington, Letter to John Hancock (October 10–11, 1777)	All Purposes				
744	William Duer, Congressional Resolution: A State of Facts, December 1777)	All Purposes				

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No.	Description	Stipulated	Plaintiffs' Objection(s)	Pre-admit. (Court Use Only)	Indent. (Court Use Only)	Admit. (Court Use Only)
745	Admiral W. H. Smyth and Vice-Admiral Sir E. Belcher, <i>The Sailor's Word-Book: An Alphabetical Digest of Nautical Terms</i> , London, 1867	All Purposes				
746	<i>Massachusetts Gazette</i> , May 19, 1775	All Purposes				
747	<i>State Gazette of South Carolina</i> , July 16, 1787	All Purposes				
748	<i>Evening Star</i> (Washington, D.C.), Jan. 9, 1868	All Purposes				
749	<i>Daily Morning Chronicle</i> (Washington, D.C.), Apr. 22, 1868	All Purposes				
750	<i>Daily Albany Argus</i> , Nov. 6, 1869	All Purposes				
751	<i>Daily Morning Chronicle</i> (Washington, D.C.), Feb. 3, 1872	All Purposes				
752	Acts and Laws March Session, Colony of Massachusetts Bay (1776)	All Purposes				
753	George Washington, General Orders (Jan. 22, 1780)	All Purposes				
754	George Washington, General Orders (May 1, 1783)	All Purposes				
755	<i>Incidents of the Insurrection in the Western Part of Pennsylvania, in the year 1774</i> (1795)	All Purposes				

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756	<i>Derby Mercury</i> , March 19, 1756, p. 3	All Purposes				
757	<i>Jackson's Oxford Journal</i> , Mar. 20, 1756, p. 2	All Purposes				
758	<i>Pittsburgh Gazette</i> , Feb. 14, 1789, p. 1	All Purposes				
759	<i>N.Y. Journal</i> , July 23, 1790	All Purposes				
760	<i>Daily Morning Chronicle</i> , Washington, D.C., Jan. 7, 1868, p.4	All Purposes				
761	<i>Cedar Falls Gazette</i> , Jan. 10, 1868, p. 3	All Purposes				
762	<i>Gloucestershire Chronicle</i> , Jan. 4, 1868, p. 2.	All Purposes				
763	<i>The Jeffersonian</i> (Stroudsburg, Pa.), Jan. 9, 1868, p. 2.	All Purposes				
764	B. Kalesan, et al., <i>A multi-decade joinpoint analysis of firearm injury severity</i> , 3 Trauma Surgery & Acute Care Open 1 (2018)	FRE 703	FRE 802 (hearsay) MIL 1, 4			
765	H.M. Bailey, et al., <i>Changes in patterns of mortality rates and years of life lost due to firearms in the United States, 1999 to 2016: A joinpoint analysis</i> , PLoS One 14(11) (Nov. 22, 2019)	FRE 703	FRE 802 (hearsay) MIL 1, 4			

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766	P.J. Brantingham, et al., <i>Assessment of Case Fatality Rates and Overall Prevalence of Firearm Violence in California, 2005-2019</i> , JAMA Netw Open (Jan. 28, 2022)	FRE 703	FRE 802 (hearsay) MIL 1, 4			
767	City of Portland Police Bureau, Shooting Incident Statistics, <a href="https://www.portlandoregon.gov/police/81203">https://www.portlandoregon.gov/police/81203</a>	FRE 703	FRE 802 (hearsay) MIL 4			
768	<a href="#">Withdrawn</a>					
769	<a href="#">Withdrawn</a>					
770	<a href="#">Withdrawn</a>					
771	<a href="#">Withdrawn</a>					
772	<a href="#">Withdrawn</a>					
773	<a href="#">Withdrawn</a>					
774	Clackamas Cnty., <i>Mall Shooting Clackamas Town Center</i> , <a href="https://bit.ly/3IbboVB">https://bit.ly/3IbboVB</a>	FRE 703	FRE 802 (hearsay) MIL 1, 4, 5			
775	Clackamas Cnty. Sheriff's Office, <i>Active-shooter investigation</i> , <a href="https://bit.ly/3MsuTf9">https://bit.ly/3MsuTf9</a>	FRE 703	FRE 802 (hearsay) MIL 1, 4, 5			
776	Curriculum Vitae of Professor Dennis Baron	FRE 104				
777	Curriculum Vitae of Dr. Mackenzie Cook	FRE 104				

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778	<i>Missouri Republican</i> (St. Louis, Missouri), Fri. Sept. 3, 1869	All Purposes				

DATED: June 1, 2023

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I hereby certify that on June 1, 2023, I have made service of the foregoing **PLAINTIFFS' IDENTIFICATION OF LEGISLATIVE FACT EXHIBITS** of the party listed below in the manner indicated:

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